

## REMARKS

Claims 1-19 were pending, examined, and rejected. Applicants have amended the claims as indicated above and respectfully request reconsideration and favorable action in this case.

### **Rejections under 35 U.S.C. § 103**

Claims 1-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0177387, issued to Herz *et al.* ("Herz").

With respect to Claim 1, Applicants submit that the cited reference does not teach or suggest all elements of Claim 1 as amended. Claim 1 recites a method in which a web content format is selected based on a model associated with a user. The model is associated with the user based on the user's data that was collected during prior web site visit(s). The amended claim expressly recites that the selected web content format influences visual aspects of the web content that will be downloaded. Thus, claim 1 as amended recites an implementation in which the web site use history of a user is leveraged to influence visual aspects of the manner in which content from the web site is presented to the user.

Claim 1 as amended is patentable over the cited reference because the cited reference does not disclose influencing visual aspects of the manner in which web site content is pretended to a user based on the user's history of usage with the web site. For example, the offer profiles disclosed in Herz are solely concerned with aspects or parameters of the goods or service being offered. See, e.g., Table A of Herz in left column 1, page 4, paragraph [0029]. Similarly, the description of the longer list of offer profile parameters set forth in paragraphs [0055] to [0072] does not disclose any method in which the disclosed parameters are used to influence the manner in which an offer or other web content is visually presented to the user.

Accordingly, Applicants submit the claim 1 as amended is patentable over the cited references. Analogous amendments have been made to independent claims 2 and 14 and analogous remarks apply to the patentability of those independent claims.

In addition, Applicants have amended claims 3-6 to recite a series a claims emphasizing a particular implementation in which a user's data is used to determine whether the user is better classified as being primarily concerned with cost savings or new features. When the user is determined to be more concerned with cost savings, the disclosed method recites that the web content downloaded and presented to the user emphasizing cost savings features where, when the user is identified as being more concerned with technology, the content downloaded and presented to the user emphasizes new products, services, and/or features. Applicants submit that the cited reference contains no analogous teaching.

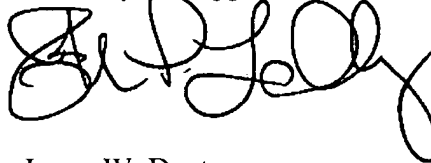
**CONCLUSION**

Applicants believe this response includes a reply to each ground of objection and rejection. Applicants respectfully request reconsideration of the pending claims.

Applicants have submitted a fee for extending the response period. If the fee is insufficient, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 10-0096 of Jackson Walker L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.236.2019.

Respectfully submitted,  
JACKSON WALKER L.L.P.  
Attorney for Applicants

A handwritten signature in black ink, appearing to read 'J. Deats', with a stylized, flowing script.

Jason W. Deats  
Reg. No. 50,963

SEND CORRESPONDENCE TO:

JACKSON WALKER L.L.P.  
CUSTOMER ACCOUNT NO. **67942**  
512.236.2019  
512.391.2111 (fax)